UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,035	03/08/2005	Mauro Antonio Giacomello	FR920020015US1	5566

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GAMI, TEJAL

ART UNIT	PAPER NUMBER
2121	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/527,035	GIACOMELLO, MAURO ANTONIO
	Examiner	Art Unit	
	Tejal J. Gami	2121	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _06 March 2007_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _25 and 37_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _25 and 37_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is responsive to an AMENDMENT entered May 21, 2007 for the

patent application 10/527035.

Status of Claims

2.   Claims 1-3, 5, 6, 9, 12, 15, 16, 19, 20, 23, and 25-36 were rejected in the last

Office Action dated March 06, 2007.

As a response to the March 06, 2007 office action, Applicant has amended Claim

25; cancelled Claims 1-24 and 26-36, and added Claim 37.

Claims 25 and 37 are now pending in this office action.

Claim Rejections - 35 USC § 102

3.   The previous rejections under 35 U.S.C. 102 are withdrawn in response to

Applicant's amendments to the claims.

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 25 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by

Freund et al. (U.S. Patent Number 5,768,587).

As to independent claim 25, Freund discloses a data processing method for

managing transactions (see Abstract; and Figure 2), comprising:

providing at least one resource manager RM for managing changes to respective

system resources of a data processing system (see Col. 1, Lines 6-10);

providing a resource manager coordinator RMC (e.g., transaction manager) for

coordinating commit-backout (e.g., commit or roll-back) activities of the at least one

resource manager (see Col. 1, Lines 53-56; and Figure 6), said resource manager

coordinator RMC (e.g., transaction manager) being hosted by the data processing

system (see Col. 1, Lines 6-10);

receiving, by the data processing system, a business service request from a

remote computer system to perform a task (see Col. 7, Lines 28-39), said task

comprising both compliant processes complying with a commit/backout protocol and

non-compliant processes not complying with a commit/backout protocol (see Col. 4,

Lines 30-44; and Figure 6), said compliant processes running on the data processing

system and said non-compliant processes running on a counterpart processing system

that is coupled to the data processing system by a labile link (see Col. 4, Lines 1-16);

providing at least one extended resource manager ERM (e.g., application

program) comprised by the data processing system for managing an execution and

compensation of the task (see Col. 6, Lines 1-11), said resource manager coordinator

RMC (e.g., transaction manager) being adapted to coordinate compensation services of

the at least one extended resource manager ERM (e.g., application program) (see Col.

6, Lines 1-11);

determining by the at least one extended resource manager ERM (e.g., application program), upon receipt of a backout request (e.g., roll back) resulting from the execution of the compliant processes running on the data processing system and the non-compliant processes running on the counterpart processing system (see Figure 6), compensation actions to transform the system resources into a mutually consistent state that differs from an initially consistent state of the system resources that existed prior to the execution of the non-compliant processes (see Col. 6, Lines 1-11), wherein changes to the system resources resulting from the execution of the non-compliant processes transform the system resources into a mutually inconsistent state (see Col. 1, Lines 48-64), and wherein the changes to the system resources resulting from the execution of the non-compliant processes cannot be backed out to transform the system resources from the mutually inconsistent state to the initially consistent state due to the labile link and associated communication problems between the data processing system and the counterpart processing system (e.g., mapper) (see Abstract);

recording information, by an information recording service, concerning the compensation actions performed during the execution of the non-compliant processes (see Col. 12, Lines 34-53);

determining, by the extended resource manager ERM, the compensation actions on the basis of the information recorded by the information recording service (see Col. 12, Lines 6-15);

backing out the changes to the system resources resulting from execution of the

compliant processes before performing the compensation actions, resulting in

generation of misaligned logically-correlated data associated with the task (see Col. 12,

Lines 34-53);

after completion of said immediately backing out and before performing the

compensation actions, rendering the misaligned logically-correlated data public to other

tasks (e.g., rolls back the updates) (see Col. 12, Lines 34-53); and

performing the compensation actions after said rendering the temporarily

misaligned logically-correlated data public to other tasks (e.g., rolls back the updates)

(see Col. 12, Lines 34-53).

As to dependent claim 37, Freund teaches the method of claim 25, wherein the

data processing system is a front-end server of a banking system, wherein the remote

computer comprises a bank ATM from which the business service request is received

by the data processing system, and wherein the counterpart processing system is a

server in a banking agency (see Col. 1, Lines 18-38).

Response to Arguments

6.   Applicant's arguments filed May 21, 2007 are moot in light of new grounds of

rejections necessitated by the amendment.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Daniels et al. (U.S. Patent Number 5,428,771) teaches transparent transaction

coordination between distributed networks having different communication protocols.

Freund (U.S. Patent Number 5,363,121) teaches multiple protocol

communication interface for distributed transaction processing.

Freund (U.S. Patent Number 5,095,421) teaches transaction processing facility

within an operating system environment.

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tejal J. Gami whose telephone number is (571) 270-

1035. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Anthony Knight can be reached on (571) 272-3687. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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